

**CHIROPRACTIC EXAMINING BOARD  
MEETING MINUTES  
June 29, 2016**

**PRESENT:** John Church, D.C; Jacob Curtis (*via GoToMeeting.*); Jeffrey King, D.C.; Jeffrey Mackey, D.C., (*left at 11:04 A.M.*); Juli McNeely; and Patricia Schumacher, D.C.

**STAFF:** Tom Ryan, Executive Director; Dale Kleven, Administrative Rules Coordinator; Laura Smith, Bureau Assistant; and other Department Staff

**CALL TO ORDER**

Patricia Schumacher, Chair, called the meeting to order at 8:34 a.m. A quorum of six (6) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Jeffrey Mackey moved, seconded by Juli McNeely, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES**

**Amendments to the Minutes:**

- *Correct spelling on pg. 3 from 'Public Records and Ethic' to 'Public Record and Ethics'*

**MOTION:** Jeffrey Mackey moved, seconded by Juli McNeely, to approve the minutes of March 30, 2017 as amended. Motion carried unanimously.

**LEGISLATION AND ADMINISTRATIVE RULE MATTERS**

**Review of Draft Language for Chir 1 Relating to Authority and Definitions, Chir 3 Relating to License renewal, and Chir 11 Relating to Patient Records**

**MOTION:** Jeffrey Mackey moved, seconded by Juli McNeely, to approve the preliminary rule drafts of Chir 1 relating to authority and definitions, Chir 3 relating to license renewal, and Chir 11 relating to patient records for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

**EDUCATION AND EXAMINATION MATTERS**

**Chiropractic Society of Wisconsin (CSW) Request for Approval of Chiropractic Technician Pre-Certification Course of Study**

**MOTION:** Juli McNeely moved, seconded by Jeffrey Mackey, to approve the Exercise/Rehabilitation for Chiropractic Technicians Course offered by the Chiropractic Society of Wisconsin as presented. Motion carried unanimously.

(Mackey left at 11:04 a.m.)

**CLOSED SESSION**

**MOTION:** John Church moved, seconded by Jeffrey King, to convene to Closed Session to deliberate on cases following hearing (§ 19.85(1) (a), Stats.); to consider licensure

or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats. and § 440.205, Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.). The Chair read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: John Church-yes; Jacob Curtis-yes; Jeffrey King-yes; Juli McNeely-yes; Patricia Schumacher-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:29 a.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** John Church moved, seconded by Juli McNeely, to reconvene in Open Session at 11:36 a.m. Motion carried unanimously.

### **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE**

**MOTION:** Juli McNeely moved, seconded by Jeffrey King, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)*

### **DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**

#### **Administrative Warnings**

#### ***15 CHI 005 and 15 CHI 012 – (A.M.H.)***

**MOTION:** Juli McNeely moved, seconded by John Church, to issue an Administrative Warning in the matter of 15 CHI 005 and 15 CHI 012 (A.M.H.). Motion carried unanimously.

#### ***16 CHI 014 – (S.M.N.)***

**MOTION:** Jeffrey King moved, seconded by John Church, to issue an Administrative Warning in the matter of 16 CHI 014 ((S.M.N.). Motion carried unanimously.

#### ***17 CHI 003 – (E.K.B.)***

**MOTION:** John Church moved, seconded by Jeffrey King, to issue an Administrative Warning in the matter of 17 CHI 003 (E.K.B.). Motion carried unanimously.

#### **Proposed Stipulation(s), Final Decision(s) and Order(s)**

#### ***16 CHI 024 – Robert J. Hozeska, D.C.***

**MOTION:** Juli McNeely moved, seconded by Jeffrey King, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of disciplinary proceedings against Robert J. Hozeska, DLSC Case No. 16 CHI 024. Motion carried unanimously.

## **Case Closings**

**MOTION:** Juli McNeely moved, seconded by Jeffrey King, to close the following cases for the reasons outlined below:

1. 16 CHI 002 – J.H. – Insufficient Evidence
2. 16 CHI 007 – C.S.O. and C.B.S. – Compliance Gained
3. 16 CHI 014 – J.W. – No Violation
4. 16 CHI 025 – D.N. – Insufficient Evidence
5. 16 CHI 031 – C.J.Z. – Insufficient Evidence and P2 (Prosecutorial Discretion)

Motion carried unanimously.

## **RATIFICATION OF EXAMINATIONS, LICENSES AND CERTIFICATES**

**MOTION:** Juli McNeely moved, seconded by John Church, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

## **ADJOURNMENT**

**MOTION:** John Church, seconded by Juli McNeely, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:38 a.m.